

I hereby certify that this correspondence is being sent by facsimile to:

Examiner J. Reeves, Ph.D.
Art Unit: 1642
U.S. Patent and Trademark Office
Washington, DC 20231

On February 17, 2000

By: _____

PATENT
Attorney Docket No.: 11823-002630US

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FD
2-23-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CARY L. QUEEN ET AL.

Application No.: 08/484,537

Filed: June 7, 1995

For: IMPROVED HUMANIZED
IMMUNOGLOBULINS

Examiner: J. Reeves, Ph.D.

Art Unit: 1642

PETITION FOR REMOVAL OF
FINALITY UNDER 37 CFR §1.129(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Advisory Action mailed February 3, 2000, applicants elect to proceed under the Transitional After Final Rule in accordance with 37 CFR § 1.129(a) and MPEP § 706.07(g) and have the finality of the previous rejection withdrawn. The subject application is a continuation of U.S. Serial No. 07/634,278, filed December 19, 1990, now U.S. Patent No. 5,530,101. Hence, the subject application has an effective filing date of at least as early as December 19, 1990, which is more than two years before June 8, 1995. Further, the subject application has not been abandoned, and no Notice of Appeal has been filed. Therefore, the subject application is entitled to the Transitional After Final Rule in accordance with 37 CFR 1.129(a). Pursuant to the aforementioned Rule, a Response to Advisory Action and Request for Reconsideration Under 37 CFR § 1.129(a) are submitted herewith.

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PATENT

The Commissioner is authorized to deduct the fee of \$690.00 from the undersigned's Deposit Account No. 20-1430, as set forth in 37 CFR §1.17(r). Please deduct any additional fees or credit overpayment to this Deposit Account.

Respectfully submitted,



William M. Smith
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